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इस भाग में विशेष पृष्ठ संख्या पी जाती है जिससे कि यह अलग संख्यामय के रूप में रखा जा याएँ।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

RAJYA SABHA

The following Bills were introduced in the Rajya Sabha on the 7th April, 1966:—

I

BILL NO. VI OF 1966

A Bill to amend the University Grants Commission Act, 1956.

Be it enacted by Parliament in the Seventeenth Year of the Republic of India as follows:—

1. (1) This Act may be called the University Grants Commission (Amendment) Act, 1966. Short title and com-

mence-
ment.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

3 of 1956. 2. In section 5 of the University Grants Commission Act, 1956 (hereinafter referred to as the principal Act),— Amend-
ment of
section 5.

(a) in sub-section (1), for the words "nine members", the words "a Chairman, Vice-Chairman and ten other members" shall be substituted;

(b) in sub-section (2),—

(i) clause (a) shall be omitted;

(ii) in the proviso to clause (c), for the words "Provided that", the following shall be substituted, namely:—

"Provided that no head of an institution which is eligible under this Act to receive grants from the Commission or no Vice-Chancellor of a University shall be chosen to be a member of the Commission:

Provided further that";

(c) sub-section (3) shall be omitted.

3. In section 6 of the principal Act,—

(a) in the proviso to sub-section (1),—

(i) for the words "Chairman and the members", the words "Chairman, Vice-Chairman and the members" shall be substituted;

(ii) for the words "for the first time under this section", the words "for the first time after the commencement of the University Grants Commission (Amendment) Act, 1966" shall be substituted;

(b) for sub-section (4), the following sub-section shall be substituted, namely:—

"(4) The offices of the Chairman and Vice-Chairman shall be whole-time and salaried offices and subject thereto, the terms and conditions of service of the Chairman, the Vice-Chairman and the other members shall be such as may be prescribed."

4. In section 12 of the principal Act,—

(i) in clause (c), for the words "necessary for the development of such Universities", the words "necessary or appropriate for the development of such Universities or for the maintenance or development or both of any specified activities of such Universities" shall be substituted;

Amend.
ment of
section 6.

Amend-
ment of
section 12.

(ii) after the proviso to clause (c), the following further proviso shall be added, namely:—

"Provided further that the Commission shall not give any grant to any University which is established after the commencement of the University Grants Commission (Amendment) Act, 1966, without the previous approval of the Commission and of the Central Government.".

5. After section 26 of the principal Act, the following section shall be inserted, namely:—

Insertion
of new
section
27.

"27. (1) The Commission may, by regulations made under this Act, delegate to its Chairman, Vice-Chairman or other officers, its powers of general superintendence and direction over the business transacted by or in the Commission, including the powers with regard to the expenditure incurred in connection with the maintenance of the office and internal administration of the Commission.

Power to
delegate.

(2) No regulation shall be made under this section except with the previous approval of the Central Government.".

6. Every member of the Commission holding office as such immediately before the commencement of this Act, shall continue to hold such office after such commencement until the reconstitution of the Commission in accordance with the provisions of the principal Act as amended by this Act:

Transi-
tional pro-
visions.

Provided that the person holding, immediately before the commencement of this Act, the office of the Chairman, shall continue to hold that office by the same tenure and upon the same terms and conditions as he held it immediately before such commencement.

STATEMENT OF OBJECTS AND REASONS

The University Grants Commission Act, 1956 was passed by Parliament to make provision for the co-ordination and determination of standards in Universities and for that purpose to establish a University Grants Commission. In the years following the passing of that Act, the field of higher education in the country has been considerably enlarged with the corresponding increase in the responsibilities of the University Grants Commission. Experience of the working of the Act in these years has also revealed certain lacunae and shortcomings therein and the need has been felt for widening the scope of the organisation and functions of the Commission.

2. This feeling was reinforced by the recommendations made in July, 1964 by the Committee of Members of Parliament set up under the Chairmanship of Shri P. N. Sapru to examine the provisions of the Constitution regarding the responsibility of the Central Government in the field of higher education with a view to finding the extent to which the Centre could assume greater responsibility in this field. The Committee, amongst other things made some recommendations regarding reorganisation of the University Grants Commission. The Commission was thereafter consulted about the question of its reorganisation in general, and the recommendations of the Sapru Committee in particular.

3. The present Bill seeks to amend the University Grants Commission Act, 1956 on the basis of the past experience of the working of the Act as well as the recommendations of the Sapru Committee and of the Commission itself. The main features of the Bill are:—

(a) The number of members of the Commission will be increased from 9 to 12 with two full-time members, namely the Chairman and the Vice-Chairman.

(b) Serving Vice-Chancellors and Heads of institutions which are entitled under the Act to receive grants from the Commission will be excluded from the membership of the Commission.

(c) The Commission will be empowered to give assistance to the non-Central Universities for the maintenance of their special activities like the Advanced Centres.

(d) The Commission will be empowered to withhold grants to any University established without the prior consent of the Commission and the Central Government.

(e) The Central Government will be empowered to make rules regarding delegation by the Commission to its Chairman and other officers, of its power of general superintendence and direction over the business transacted by or in the Commission including the powers with regard to the office expenditure, and other matters relating to the internal administration, of the Commission.

NEW DELHI;

The 1st April, 1966.

M. C. CHAGLA.

FINANCIAL MEMORANDUM

Clause 2 of the Bill contemplates an increase in the number of members of the University Grants Commission from nine to twelve including one whole-time member, namely, the Vice-Chairman.

Clause 4 of the Bill empowers the Commission to give continued assistance to the Universities in such measures and for as long as is considered necessary for maintenance of special activities of the Universities like the Advanced Centres. At present the Commission is competent to give only developmental grants to State Universities.

2. Extra expenditure on salary, allowances etc. of the additional full time member, *viz.*, the Vice-Chairman, will be of the order of about Rs. 36,000 per annum. Some extra expenditure would also be involved on the travelling and daily allowance of the other two additional members of the Commission who would be required to attend meetings of the Commission.

The extra expenditure, which is likely to be involved on account of assistance which the Commission may render for maintenance of special activities of the Universities, cannot be estimated at this stage.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 5 of the Bill empowers the University Grants Commission to make regulations with the previous approval of the Central Government regarding the delegation by it to its Chairman, Vice-Chairman or other officers, of its powers of superintendence and direction over the business transacted by or in the Commission, including the powers with regard to the expenditure incurred in connection with the maintenance of the office and internal administration of the Commission.

2. This provision is proposed to be inserted with a view to enabling the Commission to delegate to its Chairman and other officers such of the above-mentioned powers as it may consider necessary. Experience has shown that the activities of the Commission have been hampered by the fact that all the powers are at present concentrated in the Commission, as a whole, which meets periodically.

3. These matters pertain to procedure, form or detail and as such the delegation of legislative power is of a normal character.

II

BILL NO. V OF 1966

A Bill further to amend the Telegraph Wires (Unlawful Possession) Act, 1950

Be it enacted by Parliament in the Seventeenth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Telegraph Wires (Unlawful Possession) Amendment Act, 1966.

Amend-
ment of
section 2.

2. In section 2 of the Telegraph Wires (Unlawful Possession) Act, 1950 (hereinafter referred to as the principal Act), for clause (b), 1950, the following clause shall be substituted, namely:—

‘(b) “telegraph wire” means any copper wire the gauge of which, as measured in terms of diameter in millimetres, is between 2·43 and 2·53, or between 2·77 and 2·87, or between 3·42 and 3·52.’

Amend.
ment of
section 5.

3. In section 5 of the principal Act, for clause (a), the following clause shall be substituted, namely:—

“(a) for the first offence, with imprisonment for a term which may extend to five years, or with fine, or with both ~~and~~ in the absence of special and adequate reasons to be mentioned in the judgment of the court, such imprisonment shall not be less than one year and such fine shall not be less than one thousand rupees;”.

Amend.
ment of
section 7.

4. In section 7 of the principal Act, in sub-section (1), for the words “by an officer specially empowered in this behalf by that Government”, the words “by an officer authorised in this behalf by the Central Government by general or special order” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The Telegraph Wires (Unlawful Possession) Act, 1950, was enacted mainly with the object of simplifying the procedure for prosecution and conviction of persons accused of thefts of telegraph copper wires. In the light of the working of the Act, section 5 thereof was amended in 1962 to provide for a minimum punishment for the second and subsequent offences under the Act by the same set of persons. This amendment has not, however, achieved the desired deterrent effect. It is, therefore, proposed to prescribe minimum punishment even for the first offence under the Act, so as to curb more effectively the continuing thefts of telegraph copper wire in the country.

2. Under section 7 of the Act, only officers who are specially empowered in this behalf are competent to lodge complaints under the Act in a court. Such a procedure has proved cumbersome and entails constant revision of the list of such officers. It is, therefore, proposed to simplify the procedure by providing for issuing also general orders in this behalf.

3. The opportunity is taken to amend the definition of the expression "telegraph wire", so as to specify therein the metric system of units and to bring it in line with the new Indian Standard Specification for telegraph copper wire.

4. The Bill is intended to give effect to the above objects.

NEW DELHI;

SATYA NARAYAN SINHA.

The 10th March, 1966.

B. N. BANERJEE,

Secretary.